

CITY OF TEMPE HEARING OFFICER

Meeting Date: 4/02/2019

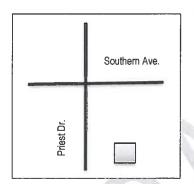
Agenda Item: 2

<u>ACTION</u>: Request approval to abate public nuisance items at the Priddy Property located at 1250 W. Manhatton Drive. The applicant is the City of Tempe – Code Compliance.

FISCAL IMPACT: \$1036.00 for abatement request, remove grass and weeds from gravel landscape.

RECOMMENDATION: Staff – Approval of 180 day open abatement

BACKGROUND INFORMATION: City of Tempe – Code Compliance Section requests approval to abate items in violation of the Tempe City Code at the PRIDDY PROPERTY. The details of this case represent several months of correspondence for compliance with the property owner. Staff requests the approval of abatement of the following nuisance items under Complaint CE186152: remove grass and weeds from gravel landscape.



Property Owner Robert A. Priddy Jr.

Applicant City of Tempe – Code Compliance
Zoning District: R1-6, Single Family Residential
Code Compliance Inspector: Andres Lara-Reyes, Code Inspector

ATTACHMENTS: Supporting Attachment

STAFF CONTACT: Drew Yocom, Planning & Research Analyst (480-858-2190)

Department Director: Chad Weaver, Community Development Director

Legal review by: N/A

Prepared by: Barbara Simons, Code Inspector

Reviewed by: Drew Yocom, Planning & Research Analyst

COMMENTS:

Code Compliance is requesting approval to abate the Priddy Property located at 1250 W. Manhatton Drive, in the R1-6, Single Family Residential district. This case was initiated 09/05/2018, after which Code Compliance has attempted to obtain compliance through correspondence with the property owner regarding violations of the Tempe City Code.

Without the intervention of abatement the property will continue to deteriorate. It is therefore requested that the City of Tempe Community Development Hearing Officer approve a 180 day open abatement of this public nuisance in accordance with Section 21-53 of the Tempe City Code.

HISTORY & FACTS:

The history and facts of this case are detailed in an attached memo from the Code Compliance Inspector.

Project Submittal Application

City of Tempe
Community Development Department
31 E. 5th Street, Garden Level, Tempe, AZ 85281
(480) 350-4311 Fax: (480) 350-8677
Planning Fax: (480) 350-8872
www.tempe.gov



		Project	Information - Regu	ired		
Project Name: ROBERT PRID	DDY ABATEM					
Project Address: 1250 W MAI	NHATTON DF	R TEMPE, AZ 8528	2		Suite No.:	
Proposed Use of Building/Suit	te:				Existing Zoning: R1-6	
Legal Description: □ Attache	ed				Parcel No.: 123-49-07	74 □
Description of Work/Request	Abatement to	include: removal of	grass and weeds	over gravel land	Iscape.	
Hearing date: 04/02/2019		Valu	uation (for building	plan review	CE186152	
			t Information Req	-		
Company or Firm Name: CITY	OF TEMPE	, ppilodii	t moment req	Telephone 1:		
					60-8963	Ext: 8963
Applicant's Name: ANDRES L	ARA-REYES			Telephone 2:		
Applicantle Chroat Address				()		Ext:
Applicant's Street Address :				Fax:		
City:		State:	Zip:	Email Addres	ss(es):	
Applicant Signature:	u drest		_	Date: 02/21/2	2019	
		FILE STREET	or City Use Only			
Planning	Fees	Building	Engineering		Submitted Materials:	
□ Recordation		☐ New Building	☐ Engineering		Building	Fire
□ SPR		□ Com Add/Alt			Planning	Signs
☐ PL Dev Plan Review		□ T I	□ Revision		Engineering	
□ Sign Permit		□ MF	Tracking Nos.:			
□ Use Permit		□ NRes	DS			
□ Variance		□ Res Remodel/Add	BP		☐ Spec Book(s)	☐ Soils Report
☐ General Plan Amend		□ Pool	RA		☐ Structural Calcs	□ Report
□ Zoning Amend		□ Demo	FR		☐ Truss Calcs	□ Materials
☐ Zoning Verification Letter		☐ Grading Only	RAF		☐ Hydraulic Calcs	☐ Color Board
☐ Subdivision/Condo		□ Phased Constr			☐ Parking Analysis	☐ Haz Mat Form
□ PAD Overlay		□ Phased Constr w/UG MEP	EN		☐ Lighting Cut Sheets	□ Other:
□ Legal Posting Signs		□ Structural Frame	RAE		Total Valuation:	
☐ Administrative Decision		□ MEP Only	PL			
□ Abatement		☐ Mobile Home	SPR		Total Submittal Fees:	
☐ Shared Parking		☐ Factory Built Bldg	SGN			
□ CCR Review		☐ Deferred submittal	GO			
□ Continuance		☐ Revision				
□ Appeal		□ New Standard	GOB			
□ Other		☐ Permits based	SE		Validation:	
Fire		on Standard #	ZP		Name of the second	
□ Tanks		□ Suiting	MCA Code:			
□ AFES (O/H)		□ Other				
☐ Spray Paint Booth						
☐ Special Extinguishing			File With:			
☐ Fire Alarm					Date Stamp:	
☐ Kitchen Hood System						
□ Rack Storage			Received By:			
□ Hazmat						
□ Other						

DATE:

02/21/2019

TO:

Jeff Tamulevich, Code Compliance Administrator

FROM:

Andres Lara-Reyes

SUBJECT:

Request to Authorize for Abatement– Reference Complaint # CE186152

LOCATION:

1250 W Manhatton Dr., Tempe, AZ 85282

LEGAL:

Parcel #123-49-074 as recorded with the Maricopa County Assessor

OWNER:

ROBERT PRIDDY

1250 W MANHATTON DR

TEMPE, AZ 85282

FINDINGS:

1250 W MANHATTON DR property is currently in violation of City of Tempe's Nuisance Code in regard to a deteriorated landscape (over height grass and weeds in gravel landscape).

This property has been in violation since 09/05/2018 with the initial violation being deteriorated landscape. There has been no response from the owner of the property as all mail has been delivered.

The owner ROBERT PRIDDY was issued correction notices and two (2) citations to correct the violations with no response. As stated above, all mail has been delivered and the property's landscape remains in violation as of this date. Notice of intent to abate was mailed and posted to the property owner's address.

RECOMMENDATIONS:

ROBERT PRIDDY has not responded or attempted to remedy the violation on the property at 1250 W MANHATTON DR. Since it appears that the owner will not correct the violation, without the intervention of abatement, the property's landscape will continue to deteriorate. I therefore make a request to the City of Tempe Development Services Hearing Officer for authorization to abate this public nuisance in accordance with section 21-53 of the Tempe City Code and authorization of multiple abatements for a period not to exceed one hundred eighty (180) days from the previous abatement order. ROBERT PRIDDY has not given any indication that he plans on correcting the violation and maintaining the property.

Respectfully submitted, Andres Lara-Reyes

ACTION TAKEN: ____
NAME: /

DATE: _____/___/_2(

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NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

Date: 02/21/2019 Case #: CE186152

ROBERT PRIDDY 1250 W MANHATTON DR TEMPE, AZ 85282

This serves as notification of the City of Tempe's intentions regarding the abatement of code violations on the following described property:

Location: 1250 W MANHATTON DR TEMPE, AZ 85282

Parcel: 123-49-074

This office will submit this complaint to the Community Development Abatement Hearing Officer to be placed on the Hearing Officer agenda of April 2, 2019. We are requesting Hearing Officer Authorization to abate this public nuisance in accordance with Section 21-53 of the Tempe City Code by removal and repair of:

CC 21-3.b.8 Landscaping that is substantially dead, damaged or characterized by uncontrolled growth or presents a deteriorated or slum-like appearance;

If the violations have not been corrected within thirty (30) days, our office will proceed with the abatement process. As owner of the property, you have thirty (30) days after receipt of this letter to abate or correct any violation as described below:

CC 21-3.b.8 Please remove all grass and weeds over gravel in the front yard landscape area.

Upon receipt of the Hearing Officer approval to abate this public nuisance, the necessary work will be performed at the expense of the property owner. The cost of this work will be \$1036.00. In addition to the actual cost of abatement, an administrative charge of fifteen(15) percent of the actual cost of abatement or three hundred (\$300) dollars, whichever is greater, for expenses incurred by the City for abatement procedures, and the cost of recording liens and releases will be charged. The recorded lien may bear interest at the legal rate of judgments in the State of Arizona. Administrative charges and the cost of recording liens and releases shall become a lien on the property whether or not the public nuisance is abated by the City.

If you have questions regarding this matter, please contact our office at (480)350-8311.

Code Inspector: Andres Lara-Reyes Phone Number: 480-350-8963

E-mail: andres_lara-reyes@tempe.gov

HAMANN ENTERPRISES, LLC

2925 N 19TH AVE UNIT 97 PHOENIX, AZ 85015 (602) 575-4455

hamannenterprises@yahoo.com

THE FOLLOWING DOCUMENT IS FOR:

NAME: Andres Lara-Reyes

FIRM: CITY OF TEMPE

DATE: 2/14/19

PROPOSAL

WE PROPOSE TO DO THE FOLLOWING WORK FOR THE CITY OF TEMPE UNDER CONTRACT # T18-011-03

ADDRESS: 1250 W MANHATTON DR

	1 LANDSCAPE AND REMOVE TRASH FROM FRONT YARD	\$560.00
	2 ESTAMATED DUMP FEES	\$50.00
	3 SECURITY BY TEMPE POLICE	\$276.00
	4 TREAT WITH PRE-EMERGENT	\$150.00
	5	\$0.00
	6	\$0.00
TOTAL C	OST OF JOB	\$1,036.00

THANK YOU FOR YOUR BUSINESS

BOB HAMANN



COMMUNITY DEVELOPMENT DEPARTMENT CODE COMPLIANCE CORRECTION NOTICE

09/10/2018

ROBERT PRIDDY 1250 W MANHATTON DR TEMPE, AZ 85282

Case #: CE186152

Site Address: 1250 W MANHATTON DR, TEMPE, AZ 85282

This is a notice to inform you that this site was inspected on 09/10/2018 and found to be in violation of the City of Tempe's Zoning and Development Code (ZDC) and/or Nuisances and Property Enhancement Ordinance, Chapter 21, Article I and/or II of the City Code (CC) as noted. Failure to comply may result in civil citation or criminal charges.

Section	Violation
CC 21-3.b.8	Landscaping that is substantially dead, damaged or characterized by uncontrolled growth or presents a deteriorated or slum-like appearance;

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION

SITE REINSP ON OR AFTER

CC 21-3.b.8 Please remove all grass and weeds over gravel in the front yard landscape area.

09/24/2018

Please contact me if you have questions or need further assistance. Thank you for your cooperation in this matter.

Andres Lara-Reyes Code Inspector

Direct: 480-350-8963

Code Compliance: 480-350-8372 Email:andres lara-reyes@tempe.gov

Civil and Criminal Penalties

City Code: Section 21-3, subsections (b) 1-8, and 17-19; Sections 21-4; 21-13; Section 21-38, subsections (a-k) and (m-q): 1st occurrence \$170 (commercial), \$200 (residential) per violation, 2nd occurrence \$420 (commercial), \$300 (residential) per violation, 3rd occurrence \$820 (commercial) \$400 (residential) per violation |Sections 21-31; 21-32; 21-33; 21-35; 21-36: 1st occurrence \$300 per violation, 2nd occurrence \$500 per violation, 3rd occurrence \$700 per violation |Section 21-3, subsection (l): 1st occurrence \$300 per violation, 2nd occurrence \$700 per violation, 3rd occurrence \$1,000 per violation. |Section 21-25: \$1,000 per violation plus an additional \$100 for each month after the date of the original violation until compliance occurs. |Section 21-4 (b) Habitual Offender: 1st occurrence \$550 in addition to other fines, 2nd occurrence \$1,050 in addition to other fines, 3rd occurrence, \$1,550 in addition to other fines. |Zoning and Development Code: 1st occurrence \$170 per violation, 2nd occurrence \$420 per violation, 3rd occurrence \$820 per violation | The city has authority to abate the violation should the owner neglect, fail or refuse to correct the violation within 30 days and to assess a lien against the property for the cost of the abatement. |The city prosecutor is authorized to file a criminal class 1 misdemeanor complaint in the Tempe Municipal Court for violations of these codes.



COMMUNITY DEVELOPMENT DEPARTMENT CODE COMPLIANCE FINAL CORRECTION NOTICE

09/24/2018

ROBERT PRIDDY 1250 W MANHATTON DR TEMPE, AZ 85282

Case #: CE186152

Site Address: 1250 W MANHATTON DR, TEMPE, AZ 85282

This is a notice to inform you that this site was inspected on 09/24/2018 and found to be in violation of the City of Tempe's Zoning and Development Code (ZDC) and/or Nuisances and Property Enhancement Ordinance, Chapter 21, Article I and/or II of the City Code (CC) as noted. Failure to comply may result in civil citation or criminal charges.

Section	Violation			
CC 21-3.b.8	Landscaping that is substantially dead, damaged or characterized by uncontrolled growth or presents a deteriorated or slum-like appearance;			

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		
CC 21-3.b.8	Please remove all grass and weeds over gravel in the front yard landscape area.	10/08/2018

Please contact me if you have questions or need further assistance. Thank you for your cooperation in this matter.

Andres Lara-Reyes
Code Inspector

Direct: 480-350-8963

Code Compliance: 480-350-8372 Email:andres lara-reyes@tempe.gov

Civil and Criminal Penalties

City Code: Section 21-3, subsections (b) 1-8, and 17-19; Sections 21-4; 21-13; Section 21-38, subsections (a-k) and (m-q): 1st occurrence \$170 (commercial), \$200 (residential) per violation, 2nd occurrence \$420 (commercial), \$300 (residential) per violation, 3rd occurrence \$820 (commercial) \$400 (residential) per violation |Sections 21-31; 21-32; 21-33; 21-35; 21-36: 1st occurrence \$300 per violation, 2nd occurrence \$500 per violation, 3rd occurrence \$700 per violation |Section 21-3, subsection (l): 1st occurrence \$300 per violation, 2nd occurrence \$700 per violation, 3rd occurrence \$1,000 per violation. |Section 21-25: \$1,000 per violation plus an additional \$100 for each month after the date of the original violation until compliance occurs. |Section 21-4 (b) Habitual Offender: 1st occurrence \$550 in addition to other fines, 2nd occurrence \$1,050 in addition to other fines, 3rd occurrence, \$1,550 in addition to other fines. |Zoning and Development Code: 1st occurrence \$170 per violation, 2nd occurrence \$420 per violation, 3rd occurrence \$820 per violation | The city has authority to abate the violation should the owner neglect, fail or refuse to correct the violation within 30 days and to assess a lien against the property for the cost of the abatement. |The city prosecutor is authorized to file a criminal class 1 misdemeanor complaint in the Tempe Municipal Court for violations of these codes.



COMMUNITY DEVELOPMENT DEPARTMENT CODE COMPLIANCE FINAL CORRECTION NOTICE

11/07/2018

ROBERT PRIDDY 1250 W MANHATTON DR TEMPE, AZ 85282

Case #: CE186152

Site Address: 1250 W MANHATTON DR, TEMPE, AZ 85282

PLEASE CORRECT VIOLATION BY 11/28/2018 TO AVOID A 2ND CITATION.

This is a notice to inform you that this site was inspected on 11/07/2018 and found to be in violation of the City of Tempe's Zoning and Development Code (ZDC) and/or Nuisances and Property Enhancement Ordinance, Chapter 21, Article I and/or II of the City Code (CC) as noted. Failure to comply may result in civil citation or criminal charges.

Section	Violation
CC 21-3.b.8	Landscaping that is substantially dead, damaged or characterized by uncontrolled growth or presents a deteriorated or slum-like appearance;

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		
CC 21-3.b.8	Please remove all grass and weeds over gravel in the front yard landscape area.	11/28/2018

Please contact me if you have questions or need further assistance. Thank you for your cooperation in this matter.

Andres Lara-Reyes Code Inspector

Direct: 480-350-8963

Code Compliance: 480-350-8372 Email:andres_lara-reyes@tempe.gov

Civil and Criminal Penalties

City Code: Section 21-3, subsections (b) 1-8, and 17-19; Sections 21-4; 21-13; Section 21-38, subsections (a-k) and (m-q): 1st occurrence \$170 (commercial), \$200 (residential) per violation, 2nd occurrence \$420 (commercial), \$300 (residential) per violation, 3rd occurrence \$820 (commercial) \$400 (residential) per violation |Sections 21-31; 21-32; 21-33; 21-35; 21-36: 1st occurrence \$300 per violation, 2nd occurrence \$500 per violation, 3rd occurrence \$700 per violation | Section 21-3, subsections (b) 9-16 and 20; Sections 21-34, 21-37; Section 21-38, subsection (l): 1st occurrence \$300 per violation, 2nd occurrence \$700 per violation, 3rd occurrence \$1,000 per violation. |Section 21-25: \$1,000 per violation plus an additional \$100 for each month after the date of the original violation until compliance occurs. |Section 21-4 (b) Habitual Offender: 1st occurrence \$550 in addition to other fines, 2nd occurrence \$1,050 in addition to other fines, 3rd occurrence, \$1,550 in addition to other fines. |Zoning and Development Code: 1st occurrence \$170 per violation, 2nd occurrence \$420 per violation, 3rd occurrence \$820 per violation |The city has authority to abate the violation should the owner neglect, fail or refuse to correct the violation within 30 days and to assess a lien against the property for the cost of the abatement. |The city prosecutor is authorized to file a criminal class 1 misdemeanor complaint in the Tempe Municipal Court for violations of these codes.



COMMUNITY DEVELOPMENT DEPARTMENT CODE COMPLIANCE FINAL CORRECTION NOTICE

02/11/2019

ROBERT PRIDDY 1250 W MANHATTON DR TEMPE, AZ 85282

Case #: CE186152

Site Address: 1250 W MANHATTON DR, TEMPE, AZ 85282

PLEASE CORRECT VIOLATION BY 02/20/2019 TO AVOID A 3rd CITATION.

This is a notice to inform you that this site was inspected on 02/11/2019 and found to be in violation of the City of Tempe's Zoning and Development Code (ZDC) and/or Nuisances and Property Enhancement Ordinance, Chapter 21, Article I and/or II of the City Code (CC) as noted. Failure to comply may result in civil citation or criminal charges.

Section	Violation
CC 21-3.b.8	Landscaping that is substantially dead, damaged or characterized by uncontrolled growth or presents a deteriorated or slum-like appearance;

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		
CC 21-3.b.8	Please remove all grass and weeds over gravel in the front yard landscape area.	02/20/2019

Please contact me if you have questions or need further assistance. Thank you for your cooperation in this matter.

Andres Lara-Reyes Code Inspector

Direct: 480-350-8963

Code Compliance: 480-350-8372 Email:andres_lara-reyes@tempe.gov

Civil and Criminal Penalties

City Code: Section 21-3, subsections (b) 1-8, and 17-19; Sections 21-4; 21-13; Section 21-38, subsections (a-k) and (m-q): 1st occurrence \$170 (commercial), \$200 (residential) per violation, 2nd occurrence \$420 (commercial), \$300 (residential) per violation, 3rd occurrence \$820 (commercial) \$400 (residential) per violation |Sections 21-31; 21-32; 21-33; 21-35; 21-36: 1st occurrence \$300 per violation, 2nd occurrence \$500 per violation, 3rd occurrence \$700 per violation |Section 21-3, subsections (b) 9-16 and 20; Sections 21-34, 21-37; Section 21-38, subsection (l): 1st occurrence \$300 per violation, 2nd occurrence \$700 per violation, 3rd occurrence \$1,000 per violation. |Section 21-25: \$1,000 per violation plus an additional \$100 for each month after the date of the original violation until compliance occurs. |Section 21-4 (b) Habitual Offender: 1st occurrence \$550 in addition to other fines, 2nd occurrence \$1,050 in addition to other fines, 3rd occurrence, \$1,550 in addition to other fines. |Zoning and Development Code: 1st occurrence \$170 per violation, 2nd occurrence \$420 per violation, 3rd occurrence \$820 per violation |The city has authority to abate the violation should the owner neglect, fail or refuse to correct the violation within 30 days and to assess a lien against the property for the cost of the abatement. |The city prosecutor is authorized to file a criminal class 1 misdemeanor complaint in the Tempe Municipal Court for violations of these codes.

123-49-074 Residential Parcel

This is a residential parcel located at 1250 W MANHATTON DR TEMPE 85282, and the current owner is PRIDDY ROBERT A JR. It is located in the Roosen Heights subdivision and MCR 13514. Its current year full cash value is \$197,700.

Property Information

1250 W MANHATTON DR TEMPE 85282

MCR#

13514

Description:

ROOSEN HEIGHTS

Lat/Long

33.38884413 | -111.95928918

Lot Size

6,242 sq ft.

Zoning

R1-6

Lot#

73

High School District

TEMPE UNION #213

Elementary School District TEMPE ELEMENTARY SCHOOL DISTRICT

Local Jurisdiction

TEMPE

S/T/R

33 1N 4E

Market Area/Neighborhood 02/004

Subdivision (75 Parcels)

ROOSEN HEIGHTS

Owner Information

PRIDDY ROBERT A JR

Mailing Address 1250 W MANHATTON DR, TEMPE, AZ 85282

Deed Number

940369130

Last Deed Date 05/06/1994

Sale Date

n/a

Sale Price

n/a

Valuation Information

We provide valuation information for the past 5 years. For mobile display, we only show 1 year of valuation information. Should you need more data, please look at our <u>data sales</u>.

The Valuation Information displayed below may not reflect the taxable value used on the tax bill due to any special valuation relief program.

<u>CLICK HERE TO PAY YOUR TAXES OR VIEW YOUR TAX BILL</u>

Tax Year	2019	2018	2017	2016	2015
Full Cash Value	\$197,700	\$180,300	\$164,800	\$158,800	\$147,100
Limited Property Value	\$126,097	\$120,092	\$114,373	\$108,927	\$103,740
Legal Class	3	3	3	3	3
Description	PRIMARY RESIDENCE	PRIMARY RESIDENCE	PRIMARY RESIDENCE	PRIMARY RESIDENCE	PRIMARY RESIDENCE
Assessment Ratio	10%	10%	10%	10%	10%
Assessed FCV	n/a	n/a	n/a	n/a	n/a
Assessed LPV	\$12,610	\$12,009	\$11,437	\$10,893	\$10,374
Property Use Code	0131	0131	0131	0131	0131
PU Description	Single Family Residence				
Tax Area Code	031600	031600	031600	031600	031600
Valuation Source	Notice	Notice	Notice	Notice	Notice

Additional Property Information

Additional residential property data.

Construction Year 1972 Weighted Age 1972

Improvement Quality R-3 (Average)

Pool Yes

Living Area 1,292 sq ft.

Patio(s) 1 Covered (Covered: 1 | Uncovered: 0)

Exterior Wall Type Frame Wood

Roof Type Built Up

Bath Fixtures 6
Garage Stalls 2
Carport Stalls 2

Tax Summary Page 1 of 1



Maricopa County Treasurer's Office

Royce T. Flora, Treasurer

Tax Summary 123-49-074 2

Current Mailing Name & Address

PRIDDY ROBERT A 1250 W MANHATTON DR TEMPE, AZ 85282-4646

Property (Situs) Address 1250 W MANHATTON DR TEMPE, AZ 85282

2018 Tax Due

Assessed Tax: \$1,452.44

Tax Paid:

\$726.22

Total Due:

\$726.22

View 2018 Tax Details

Create Stub

View Additional Tax Years

Total Amount Due

Total Amount Due:

\$726.22

Total amount due does not reflect any pending payments. Amount may change based on activity to this parcel.

NOTE: Your property may be subject to additional tax liens listed under previous parcel numbers.

 ♥ 301 West Jefferson, Suite 100, Phoenix, Arizona 85003
 ■ (602)506-8511
 ➡ TT (602)506-8511

 2348
 ➡ FAX (602)506-1102
 ➡ Disclaimer

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